

## **Montgomery GI Bill Kicker (MGIB-SR Kicker) Guidance Addendum**

The following guidelines to management of the MGIB-SR Kicker are intended to be used until publication of revisions to AR 135-7 or integration of the MGIB-SR Kicker program into AR 621-202, whichever comes first. DA Form 5435-1-R (February 05) will be used in conjunction with these instructions.

### **1. General**

This paper provides policy and guidance for the administration of the Educational Assistance Allowance Increase, SHORT TITLE: "MGIB-SR Kicker", for members of the SELRES. Army Reserve component (RC) participation, amount, and MOS/skill eligibility will be announced annually in the HQDA, Army, G-1 annual policy guidance for the SELRES Incentive Program.

### **2. Scope**

The purpose of the MGIB-SR Kicker is to recruit and retain officers, warrant officers, and enlisted Soldiers in critical specialties/skills and/or critical units. A service member can only be granted the MGIB-SR Kicker once. They must remain in the same Army RC that granted the MGIB-SR Kicker in order to receive the entitlement during their six-year contract under the Kicker program, unless authorized by the designated Secretary of the Army (SA) representative.

### **3. Eligibility**

To qualify for the MGIB-SR Kicker, SELRES members must meet all of the following requirements:

a. Enlisted Soldiers:

- (1) Enlist, reenlist, or extend in the SELRES for a period of not less than six years.
- (2) Be eligible to receive basic benefits under Chapter 1606, Title 10, USC or Chapter 30, Title 38, USC.
- (3) Be a secondary school diploma graduate or equivalent credit.
- (4) Score 31 or above on the AFQT. (The respective component may require an AFQT higher than 31)
- (5) Non-prior service applicants must have completed IADT, including the Alternate Split Training Program option, when applicable.
- (6) Prior service applicants must possess a MOS/skill or valid substitute to meet the SELRES unit position vacancy critical specialty requirement.
- (7) Contracts in a critical specialty/skill position and/or a designated critical unit.
- (8) Continued satisfactory performance in the SELRES for which they contracted.
- (9) Must complete DA Form 5435-1-R, Statement of Understanding-The Selected Reserve Montgomery GI Bill Kicker Program, 10 USC 16131.
- (10) The service member must not be receiving an Army ROTC scholarship under 10 USC 2107.

b. Officers must - -

(1) Be a lieutenant without a baccalaureate degree.

(2) Have received a reserve appointment, or is serving as a reserve officer and agrees to serve in the SELRES for a period of not less than six years. The six years must be in addition to any other period of service obligation in the SELRES the officer may be subject to.

(3) Be eligible to receive basic benefits under Chapter 1606, Title 10, USC or Chapter 30, Title 38, USC.

(4) Complete DA Form 5435-1, Statement of Understanding-The Selected Reserve Montgomery GI Bill Kicker Program, 10 USC 16131.

c. An officer or warrant officer candidate --

(1) Must meet the criteria of b (2) through b (4) above.

(2) As an enlisted member receiving the Kicker, may continue receipt of the Kicker at the higher rate while a candidate and after accepting the oath of office.

(3) When contracting as a candidate for the Kicker, may continue receipt of the Kicker after accepting the oath of office.

#### **4. Entitlement**

a. MGIB-SR Kicker incentive payments will not exceed a maximum of 36 academic months based on full time educational assistance. A service member can only receive the Kicker for the number of months of basic eligibility remaining. Example: If a prior service member enlists in an Army Reserve Component for the Kicker at the \$200 level and has 30 months of basic MGIB remaining, they may receive 30 payments at \$200 each for attending school full time.

b. The dollar amount of the MGIB-SR Kicker incentive will remain the same for the duration of the Kicker contract. The dollar amount may only be increased when authorized and when an enlisted Soldier is entering an officer or warrant officer candidacy program. When the Soldier fails to complete the officer or warrant officer program, the Kicker incentive will be reduced to the original amount received prior to entering an officer or warrant officer candidacy program.

c. The amount of the MGIB-SR Kicker incentive will be announced in annual FY HQDA Policy guidance.

d. A service member retains the MGIB-SR Kicker if involuntarily reassigned to another position at the convenience of the government. State Adjutant Generals (ARNGUS) and area commanders (USAR) may authorize transfers to another position at the convenience of the government. The term "involuntarily separated" refers to separation from a paid position in the SELRES and includes a unit in transition (paragraph 1.17), reclassification of a position to non-critical, accepts an appointment, transfers to another position at the convenience of the government or promotion within the specialty or skill career progression path that provided MGIB-SR Kicker eligibility.

e. If, during the six-year obligation, a period of nonavailability is granted --

(1) The service member must return to the critical skill position and/or critical unit that established eligibility for the MGIB-SR Kicker to resume receipt of the incentive.

(2) The service member must return by the end of the authorized period of nonavailability.

(3) The service member must extend his or her term of service for the period of nonavailability to complete the total six-year obligation.

(4) The service member must be formally counseled concerning the disposition of their incentive.

#### **5. Continued receipt of MGIB-SR Kicker incentive**

a. A service member must remain duty military occupational specialty qualified (DMOSQ) unless their status was changed involuntarily through unit transition (paragraph 1-17); reclassification of a position to non-critical; transfer to another position at the convenience of the government, or the acceptance of an appointment or promotion within the specialty or skill career progression path that provided the MGIB-SR Kicker eligibility. Exceptions are provided to those individuals entering an officer or warrant officer producing program.

(1) When non-DMOSQ occurs due to involuntary status change, the service member must become DMOSQ within 24 months to continue receipt of the MGIB-SR Kicker payments.

(2) When otherwise eligible, the service member will be entitled to receive MGIB-SR payments while they become MOS qualified in the new position.

(3) When DMOSQ does not occur, within the time limit required, MGIB-SR Kicker payments will terminate, without recoupment.

b. The MGIB-SR Kicker may be continued or extended under the same circumstances and for the same periods as the basic MGIB-SR entitlements.

c. On completion of the MGIB-SR Kicker obligation (six years), a service member is not obligated to remain in the same MOS/skill or same RC to continue receipt of the MGIB-SR Kicker. However, the service member must remain in an active status with a SELRES unit in order to continue receipt of the payments.

d. When a service member's unit, in transition, is unable to reassign the member in an Army RC unit, the member may be assigned to the Individual Ready Reserve (USAR) or the Inactive Army National Guard (ARNGUS) and will continue to receive the MGIB-SR Kicker.

e. Every effort should be made to retain the service member in the Army, however, due to unit transition, the Soldier may request affiliation with another Reserve component, other than the Army, when the traveling distance is beyond established policy. When this occurs the service member's incentive should be suspended to prevent delays in receipt of payments caused by the reaffiliation process to another Reserve.

February 22, 2005February 24, 2005f. When an officer or warrant officer candidate does not complete the required training, refuses to accept the appointment, or is not offered an appointment and was awarded a higher-level Kicker amount as a candidate, must revert back to the lesser Kicker amount. Once an individual is reverted to a lesser amount they may not be increased again. A service member who was not receiving a Kicker prior to entering an officer candidacy program will be terminated from the Kicker program, however, if their MOS becomes eligible at a later date and they have basic MGIB-SR or MGIB basic entitlements remaining, may be eligible for the Kicker upon reenlisting/extending.

## **6. Suspension**

a. During a period of non-availability, a Soldier will be suspended, on a one-time basis; for a specified period, rather than terminated from the MGIB-Kicker incentive program. Suspensions are limited to the following conditions:

(1) Temporary overseas residence, missionary obligation, or overseas employment obligations for a period not to exceed three years.

(2) Transfers to the ING or the IRR for personal reasons for a period not to exceed one year.

b. Reinstatement of incentive eligibility, when authorized, requires the service member to serve in the critical specialty/skill and/or unit for a period that, in combination with time already served will equal six years. The service member must return to the same unit and critical skills unless otherwise authorized by the Chief Army Reserve for USAR members or Director, Army National Guard for ARNGUS members.

c. Once a service member enters a period of service where favorable personnel actions are suspended, the service member's MGIB-SR Kicker incentive will be suspended. If otherwise eligible, the service member will be entitled to receive MGIB-SR Kicker incentives when the suspension has been favorably lifted. This excludes suspension of favorable personnel actions for Army Physical Fitness Test failure or failure to meet body fat standards.

d. MGIB-SR Kicker incentives suspended after the six-year obligation is served will be restored upon reaffiliation in the SELRES in any position or unit of any component as long as the service member is eligible for the MGIB-SR Kicker and has MGIB-SR or MGIB basic benefits remaining.

## **7. Termination**

a. Recoupment of MGIB-SR Kicker incentive (paragraph 3-8) will occur should a service member be terminated prior to the fulfillment of his or her six-year contractual agreement and obligation under the following conditions:

(1) On becoming an unsatisfactory participant under Army Regulation 135-91, termination of incentive becomes effective on date of suspension.

(2) Failure to return within the authorized period of nonavailability.

(3) Failure to extend an ARNGUS or USAR contracted term of service to compensate for a period of authorized nonavailability.

(4) Failure to complete six years in a SELRES unit under the terms of the initial contract.

b. MGIB-SR Kicker incentives will terminate, without recoupment, when discharged, transferred, or reassigned from the SELRES as a result of the following reasons:

(1) When a service member is eligible for separation pay.

(2) When a service member, following an involuntary reassignment, refuses to accept another position offered in the SELRES (USAR or ARNGUS), within commuting distance, located at or in close proximity to the unit they had been affiliated, and the position does not require a reduction in grade.

(3) When a service member voluntarily enters on EAD in the Active Army or when a service member enlists or accepts an appointment in an Active component or another Reserve component for continued service in the SELRES.

(4) Failure to become DMOSQ within 24 following an involuntary reassignment to a MGIB SR-Kicker incentive authorized MOS/skill and/or unit, other than the MOS/skill and/or unit that a service member had contracted for.

(5) When a service member enters the AGR or Military Technician Program where membership is required for full time employment; as long as the service member has served at least one year as a TPU member.

(6) On completion of the maximum number of academic months of MGIB-SR or MGIB basic entitlement authorized.

(7) On entering the second phase of the Alternate (Split) Training Program without proof of qualification as a secondary school diploma graduate.

(8) When the service member fails to meet qualifications for membership in the SELRES under law or regulations, to include medical fitness standards.

(9) On reaching the ten year limitation date, except as provided by the Department of Veteran Affairs (DVA).

(10) Officer and Warrant Officer Candidates receiving the Kicker based on attending an officer producing program and accepting an appointment, who do not complete the program, will be terminated without recoupment.

(11) Officer or Warrant Officer Candidates who complete the candidacy program but refuse to accept an appointment or do not complete the Officer Basic Course (OBC) within 24 months after completing the program will be terminated from the Kicker program with recoupment.

(12) On transfer to the USAR Control Group ROTC when accepting an Army ROTC Scholarship under 10 USC 2107.

c. The following rules will apply to service members entitled to MGIB-SR Kicker incentive on transfer between Army Reserve Components (USAR and the ARNGUS):

(1) When a unit has been affected by transition under paragraph 1-17, the MGIB-SR Kicker incentive will continue according to the DVA policy.

(2) The MGIB-SR Kicker incentive will continue, on completion of the six-year obligation, provided the maximum number of academic months has not expired and the MGIB-SR or MGIB basic entitlement remains.

(3) For any reasons other than (1) or (2) above, the MGIB-SR Kicker incentive will terminate on transfer between Army Reserve Components when the initial six-year contract has not been completed.

## **8. Recoupment**

a. When the MGIB-SR basic and MGIB-SR Kicker six-year obligation start dates differ, the recoupment formula is applied separately to each benefit and incentive separately to determine the total amount of recoupment plus accrued interest.

b. Candidates who complete the candidacy program but refuse to accept an appointment or do not complete the Officer Basic Course (OBC) within 24 months after completing the program will be terminated from the Kicker program and will be recouped the full amount. This is in reference to a service member who received the Kicker based on a candidacy program and the acceptance of an appointment.

c. Service members who were receiving a lower level Kicker prior to contracting as a candidate, who complete the candidacy program but refuse to accept an appointment or do not complete the Officer Basic Course (OBC) within 24 months after completing the program will be terminated from the Kicker program and will be recouped the difference of the lower level Kicker and the increased Kicker level.

d. Chief, National Guard Bureau (ARNGUS) or Chief, Army Reserve (USAR) is granted waiver authority for MGIB-SR recoupment. Waiver authority will be based on the determination that failure to participate satisfactorily, in required training, was due to reasons beyond the control of the Soldier. A waiver may be granted as follows:

- (1) A waiver of the requirement to serve on active duty.
- (2) A waiver of the total recoupment.
- (3) A waiver of a portion of the total recoupment.

e. All debts to the U.S. Government will be submitted for collection from SELRES members declared unsatisfactory participants when a waiver is not authorized. Delinquent repayment will result in the collection of interest on the remaining balance.

f. When recoupment is warranted, the following guidance will apply:

(1) The amount of recoupment will be determined by the Defense Finance and Accounting Service (DFAS).

(2) The amount will be calculated by taking the basic benefit and/or incentive, multiplied by the number of obligated months not completed, and divided by 72.

(3) Calculated overpayment will be recouped.

(4) Calculated underpayment will be paid to the service member.

(5) Any recoupment or refund paid to the service member will not affect their period of service obligation to serve in the ARNGUS or USAR.

g. All debts to the U.S. Government will be submitted for collection from SELRES members when a waiver is not authorized. Delinquent repayment will result in the collection of interest on the remaining balance.

## **9. Reporting Requirements.**

### **a. Funding**

1. The RC concerned shall calculate the monthly amounts for the MGIB-SR Kicker separately using per capita amounts for each benefit level provided by the DoD Comptroller as established by the DoD Education Benefits Board of Actuaries.
2. The amount to be transferred to the Education Benefit Fund (EBF) will be determined by multiplying the per capita cost at each amount level (\$100, \$200, or \$350) by the number of service members whom first becomes eligible during the previous month at each level. The MGIB-SR Kicker amounts will be added to the monthly amount transferred to the EBF for the basic benefit. (The beginning data of eligibility is recorded using the data element "Kicker Eligibility Start Date".)

### **b. Information Requirements for Reporting MGIB-SR Kicker Eligibility**

The RC will report MGIB-SR Kicker activity by monthly transmission to Defense Manpower Data Center (DMDC). DMDC will consolidate data from the RC and pass eligibility information to DVA by the best means available.

### **c. HQDA DCS (G-1) (DAPE-MPA-CB) Points of Contact: Jerome L. Pionk: 703-695-7472 and LTC Ken Curry: 703-695-7479.**